DOCUMENT RESUME

ED 138 727 CE 010 729

TITLE A Bill to Authorize a Career Education Program for Elementary and Secondary Schools, and for Other Purposes, Ninety-fifth Congress, 1st Session. H.R.7.

INSTITUTION Congress of the U.S., Washington, D.C. House Committee on Education and Labor.

PUB DATE 4 Jan 77

NOTE 21p.

EDRS PRICE MF-$0.83 HC-$1.67 Plus Postage.

DESCRIPTORS *Agency Role; Career Awareness; *Career Education; Career Exploration; Career Planning; Decision Making; *Educational Administration; Educational Finance; *Educational Legislation; Elementary Secondary Education; Federal Aid; *Federal Legislation; State Agencies; State Programs

ABSTRACT

This bill to authorize a career education program for elementary and secondary schools, if enacted, would be cited as the "Elementary and Secondary Career Education Act of 1977." It is intended to assist States and local educational agencies in making education as preparation for work a major goal of teachers and students by increasing the emphasis they place in elementary and secondary schools on career awareness, exploration, decisionmaking, and planning. Areas of discussion are authorizations, allocations, applications, State plans, use of funds, payments, Federal administration, reports, and definitions. (TA)

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ED138727

95TH CONGRESS
1ST SESSION

H. R. 7

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1977

Mr. PERKINS (for himself, Mr. QUIE, Mr. THOMPSON, Mr. BUCHANAN, Mr. DENT, Mr. PRESSLER, Mr. BRADEMAS, Mr. HAWKINS, Mr. FORD of Michigan, Mr. CLAY, Mr. BIAGGI, Mr. ANDREWS of North Carolina, Mr. LEHMAN, Mr. BLOUIN, Mr. CORNELL, Mr. SIMON, Mr. BEARD of Rhode Island, and Mr. ZEFERETTI) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To authorize a career education program for elementary and secondary schools, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Career Education Act of 1977".

PURPOSE

SEC. 2. In recognition of the prime importance of work in our society and in recognition of the role that the schools play in the lives of all Americans, it is the purpose of this Act to assist States and local educational agencies in making education as preparation for work a major goal of all who teach and all who learn by increasing the emphasis they

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place in elementary and secondary schools on career awareness, exploration, decisionmaking, and planning.

AUTHORIZATIONS

SEC. 3. (a) Subject to the provisions of subsection (c), appropriations are authorized to be made (as provided in subsection (b)) to carry out the provisions of this Act for five fiscal years. The first such fiscal year (hereinafter in this Act referred to as the "first funded fiscal year") may be any fiscal year beginning after the date of enactment of this Act, and the second, third, fourth, and fifth such fiscal years (hereinafter referred to as the "second funded fiscal year", "third funded fiscal year", "fourth funded fiscal year", and "fifth funded fiscal year", respectively) may be any fiscal year thereafter, except that no such appropriation may be made for the second, third, fourth, or fifth such fiscal year unless such an appropriation was made for the first, second, third, or fourth such fiscal year, respectively.

(b) Subject to the provisions of subsection (c), there are authorized to be appropriated for the fiscal years specified in subsection (a)—

(1) $25,000,000 for the first funded fiscal year;

(2) $100,000,000 for the second funded fiscal year;

(3) $75,000,000 for the third funded fiscal year;

(4) $50,000,000 for the fourth funded fiscal year; and

(5) $25,000,000 for the fifth funded fiscal year.

(c) No funds are authorized to be appropriated for any fiscal year under this section unless such funds are appropriated in the fiscal year prior to the fiscal year in which such funds will be obligated, and unless such funds are made available for expenditure to the States prior to the beginning of such fiscal year.

(d) Notwithstanding any other provisions of law, no funds may be made available under the provisions of section 406(f) of the Education Amendments of 1974 for grants or contracts with local educational agencies for any fiscal year for which funds have been appropriated pursuant to subsection (b).

ALLOCATIONS

SEC. 4. (a) (1) From the sums appropriated pursuant to section 3 for any fiscal year which are not reserved under paragraph (2) of this subsection, the Commissioner shall allot to each State an amount which bears the same ratio to such sums as such State's population, aged five to eighteen, bears to the total population, aged five to eighteen, of all the States, except that no State shall be allotted from such sums less than $100,000.

(2) The Commissioner shall reserve from the sums appropriated pursuant to section 3 for any fiscal year an amount equal to 3 per centum of the sums so appropriated

for that fiscal year for the purpose of making grants to local educational agencies located in Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands in furtherance of the purposes of this Act.

(b) (1) Any funds allotted to a State under subsection (a) (1) for which a State has not applied or for which a State application has not been approved shall be reallotted by ratably increasing the allocations of each of the States which have approved applications.

(2) If the sums appropriated for any fiscal year are not sufficient to make the allotments of the minimum amounts specified in subsection (a) (1), such minimum amounts shall be ratably reduced. If additional sums become available during a fiscal year for which such allotments were reduced, such allotments shall be increased on the same basis as they were reduced.

APPLICATIONS

SEC. 5. Every State desiring to receive funds appropriated under section 3(b) for the first funded fiscal year shall submit to the Commissioner an application containing assurances that—

(1) the State educational agency will be the agency responsible for planning the use, and administering the expenditure, of funds received under this Act;

(2) the State board of education or, if such a board does not exist in any State, the State educational agency has adopted, or will adopt during such fiscal year, a statement of policy that career education is of prime importance in elementary and secondary education within the State;

(3) the State legislature and the Governor have been notified of the State's application for such funds;

(4) the State educational agency will employ a State coordinator of career education who shall—

(A) have prior experience in the field of career education;

(B) be directly responsible to the chief State school officer of the State or to a designated official within such agency having responsibilities with respect to all major educational programs of such agency; and

(C) be the chief officer responsible for planning the use and administering the expenditure of the funds received under this Act;

(5) such agency will employ such staff as are necessary to assist such coordinator, including at least one professional trained in guidance and counseling who shall work jointly in the office of the State coordinator and in the office of the State educational agency respon-

sible for guidance and counseling, if any such office exists;

(6) such agency will continuously review the plan submitted under section 6 and will submit such amendments thereto as may be deemed appropriate in response to such agency's experience with the program;

(7) not less than 15 per centum of that portion of a State's grant for any fiscal year which is not reserved pursuant to section 8(b)(1) will be used for programs described in section 7(a)(3)(B); and

(8) the funds received under this Act will be used in accordance with the provisions of section 7.

STATE PLANS

SEC. 6. Every State desiring to receive funds appropriated pursuant to section 3(b) shall submit to the Commissioner by July 1 of the first funded fiscal year, a State plan which shall—

(1) set out explicitly the objectives the State will seek to achieve by the end of each of the five funded fiscal years in implementing the goal of providing career education for students in elementary and secondary schools within the State, and set out the means by which the State will seek each year to achieve these objectives with all resources available; and

(2) describe the methods by which the funds re-

ceived under this Act will be used, in accordance with section 7, to implement the overall objectives in each of the five funded fiscal years.

USE OF FUNDS

SEC. 7. (a) Subject to the provisions of section 8, funds received under this Act may be used by a State only for the following activities:

(1) employing of the State coordinator of career education and of the coordinator's staff;

(2) providing State leadership for career education, either directly or through arrangements with private nonprofit and public agencies and organizations (including institutions of higher education), in—

(A) conducting inservice institutes for education personnel;

(B) training local career education coordinators;

(C) collecting, evaluating, and disseminating career education materials on an intrastate and an interstate basis;

(D) conducting statewide needs assessment and evaluation studies;

(E) conducting statewide leadership conferences;

(F) engaging in collaborative relationships

with other agencies of State government and with State organizations representing the business-labor-industry-professional community;

(G) developing and applying certification standards for local career education coordinators; and

(H) promoting the adaptation of teacher-training curricula to the concept of career education by institutions of higher education located in the State;

(3) making grants to local educational agencies for comprehensive programs including—

(A) infusing career education concepts and approaches in classrooms;

(B) developing and implementing comprehensive career guidance, counseling, placement, and followup services utilizing counselors, teachers, parents, and community resource personnel;

(C) developing and implementing collaborative relationships with the business-labor-industry-professional-government community, including the use of personnel from that community as resource persons in schools and for student field trips into that community;

(D) developing and implementing unpaid work

experiences for students whose primary purpose is career exploration;

(E) employing coordinators of career education in local educational agencies or in combinations of such agencies (but not at the individual school building level);

(F) training of local career education coordinators;

(G) inservice education of teachers, counselors, school administrators, and other education personnel aimed at helping them to understand career education, including their roles in career education, and to acquire competencies essential for carrying out their roles;

(H) conducting institutes to acquaint school board members, community leaders, and parents with the nature and goals of career education;

(I) purchasing instructional materials and supplies for career education activities;

(J) establishing and operating community career education councils;

(K) establishing and operating career education resource centers serving both students and the general public;

(L) adopting, reviewing, and revising local

plans for coordinating the implementation of the comprehensive program; and

(M) conducting needs assessments and evaluations; and

(4) reviewing and revising the State plan.

(b) Grants to local educational agencies pursuant to subsection (a) (3) from funds received under this Act shall be made on the basis of applications approved by the State educational agency, and shall, to the extent practicable, be made in accordance with equitable distribution criteria established by the State educational agency, having due regard for the special needs of local educational agencies serving sparsely populated areas or serving relatively few students.

(c) (1) To the extent consistent with the number of children enrolled in private nonprofit elementary and secondary schools within the State, as regards services provided under paragraph (2) of subsection (a), and within the school district, as regards a grant made to a local educational agency under paragraph (3) of such subsection, such children and the teachers of such children must be allowed to participate in these services and in the programs funded with these grants.

(2) (A) The control of funds provided under this Act and title to materials, equipment, and property repaired, remodeled, or constructed therewith shall be in a public

agency for the uses and purposes provided in this Act, and a public agency shall administer such funds and property.

(B) The provisions of services pursuant to this paragraph shall be provided by employees of a public agency or through contract by such public agency with a person, an association, agency, or corporation who or which in the provision of such services is independent of such private school and of any religious organization, and such employment or contract shall be under the control and supervision of such public agency, and the funds provided under this Act shall not be commingled with State or local funds.

PAYMENTS

SEC. 8. (a) (1) The Commissioner, upon receipt of an application of assurances for the first funded fiscal year which the Commissioner finds to be in compliance with section 5, and upon finding the State to be in compliance with sections 6 and 7 for the second and third funded fiscal years, shall pay to the State the amount which it is entitled to receive for each such year under this Act.

(2) The Commissioner, upon finding the State to be in compliance with sections 6 and 7 for the fourth and fifth funded fiscal years, by reviewing the report required to be submitted by the State under section 10 for the second and third funded fiscal years, respectively, shall pay to the State the amount which it is entitled to receive for each such

fourth and fifth funded fiscal years under this Act reduced in proportion to the extent to which the Commissioner determines that such State has substantially failed to achieve the objectives for the second and third funded fiscal years set forth in its State plan.

(b) (1) Any State receiving funds appropriated under section 3 may reserve not more than 10 per centum of such funds for services performed for local educational agencies pursuant to section 7(a)(2) and not more than 5 per centum for the purposes of paragraphs (1) and (4) of section 7(a). The remainder of such funds shall be distributed to local educational agencies.

(2) In the first funded fiscal year, funds available under this Act to a State may be used, subject to the provisions of paragraph (1), to pay the entire cost of employing the State career education coordinator and staff assisting such coordinator. Funds available under this Act to a State may be used to pay, subject to the provisions of paragraph (1), not more than 75 per centum of such costs in the second funded fiscal year and not more than 50 per centum of such costs in the third through fifth funded fiscal years.

(3) In the first and second funded fiscal years, funds available under this Act may be used, subject to the provisions of paragraph (1), to pay the entire costs of carrying out the State plan adopted pursuant to section 6. Funds

available under this Act may be used, subject to the provisions of paragraph (1), to pay (A) not more than 75 per centum of such costs in the third funded fiscal year, (B) not more than 50 per centum of such costs in the fourth funded fiscal year, and (C) not more than 25 per centum of such costs in the fifth funded fiscal year.

(c) (1) If a State is prohibited by law from providing for the participation in programs of children enrolled in private nonprofit elementary and secondary schools, as required by section 7 (c), the Commissioner may waive such requirement and shall arrange for the provision of services to such children through arrangements which shall be subject to the requirements of that section.

(2) If the Commissioner determines that a State or a local educational agency has substantially failed to provide for the participation on an equitable basis of children enrolled in private nonprofit elementary and secondary schools as required by section 7 (c), the Commissioner may waive such requirement and shall arrange for the provision of services to such children through arrangements which shall be subject to the requirements of that section.

FEDERAL ADMINISTRATION

SEC. 9. (a) (1) The Office of Career Education created pursuant to section 406 of the Education Amendments of 1974 shall be the administering agency within the Office of

Education for the review of the State plans, applications, and reports submitted pursuant to this Act. In addition, the Office of Career Education shall perform a national leadership role in furthering the purposes of this Act.

(2) In reviewing the plans, applications, and reports submitted pursuant to this Act, the Office of Career Education shall provide technical assistance to those States having plans, applications, and reports needing improvement. The Office shall also provide technical assistance, as requested by the States, to all participating States and territories.

(3) The Office of Career Education shall attempt to assert a national leadership role in career education through:

(A) encouraging and sponsoring a continuing national dialog aimed at further development of the career education concept;

(B) providing policy statements for the Office of Education that reflect a national consensus regarding career education among practitioners and conceptualizers;

(C) providing professional upgrading opportunities to State education agency personnel in career education;

(D) designing and carrying out a national communications system for assuring that career education methods and materials developed at the Federal, State,

and local levels become available to career education personnel throughout the Nation;

(E) developing a set of consensus learner outcomes for career education and encouraging States to include data related to such outcomes in their reports; and

(F) establishing and maintaining effective liaison arrangements with national agencies, organizations, and associations, both within and outside of government, who are actively concerned about and involved in improving relationships between education and work.

(b) The National Advisory Council on Career Education created pursuant to section 406 of the Education Amendments of 1974 shall perform the same functions with respect to the programs authorized under this Act as it is authorized to perform with respect to the programs authorized under that section.

(c) The National Institute of Education shall continue its complementary efforts in career education, including product and program development, evaluation, and research, and shall devote special attention to development and validation of instruments required for the assessment of those learner outcomes for career education developed by the Office of Career Education. The Office of Education shall cooperate with the Institute in identifying research and development

priorities and in disseminating the products and findings of research and development undertaken by the Institute.

(d) The Office of Education shall provide the Office of Career Education and the National Advisory Council on Career Education with sufficient staff and resources required for them to carry out their responsibilities under this Act in addition to those already assigned pursuant to section 406 of the Education Amendments of 1974.

REPORTS

SEC. 10. (a) No later than December 31 of each fiscal year each State receiving funds under this Act shall submit to the Commissioner a report evaluating the programs assisted with funds provided under this Act for the preceding fiscal year. Such report shall include—

(1) an analysis of the extent to which the objectives set out in the State plan submitted pursuant to section 6 have been fulfilled during that preceding fiscal year;

(2) a description of the extent to which the State and local educational agencies within the State are using State and local resources to implement these objectives and a description of the extent to which funds received under this Act have been used to achieve these objectives; and

(3) a description of the exemplary programs

funded within the State, including an analysis of the reasons for their success, and a description of the programs which were not successful within the State, including an analysis of the reasons for their failure.

(b) The Commissioner, through the Office of Career Education, shall analyze each one of the State reports submitted pursuant to subsection (a) and shall provide to the State no later than three months after the date of such submission an analysis of the report and recommendations for improvement in the operation and administration of programs being provided by the State with funds made available under this Act.

(c) The National Advisory Council on Career Education shall submit a report to the Congress by April 30 of each year evaluating the effectiveness of the programs operated during the preceding fiscal year with funds provided under this Act.

(d) The Commissioner shall conduct a comprehensive review of a random sample of the State programs funded under this Act and shall submit a report on such review to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Public Welfare of the Senate by no later than September 30 of the fourth funded fiscal year.

DEFINITIONS

SEC. 11. For purposes of this Act the term—

(1) (A) "career education", for the purposes of this Act except for paragraphs (2) and (3) of section 7 (a), and sections 7 (b), 7 (c), and 8, shall mean the totality of experiences through which one learns about, and prepares to engage in, work as part of his or her way of living;

(B) "career education", for purposes of paragraphs (2) and (3) of section 7 (a), and sections 7 (b), 7 (c), and 8, shall be limited to those activities carried out by State educational agencies and local educational agencies involving career awareness, exploration, decisionmaking, and planning, and shall not include any activities carried out by such agencies involving specific job skill training;

(2) "State" shall mean the States and the District of Columbia;

(3) "State board of education" shall mean the governing board or boards designated pursuant to State law for the administration, or for the supervision of administration, of elementary and secondary education in local educational agencies and other agencies in each State;

(4) "local educational agency" has the meaning given it by section 403 (6) (B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 244 (6) (B)); and

(5) "work" shall mean conscious effort, other than that involved in activities whose primary purpose is either coping or relaxation, aimed at producing benefits for oneself or for oneself and others.

95TH CONGRESS
1ST SESSION

H. R. 7

A BILL

To authorize a career education program for elementary and secondary schools, and for other purposes.

By Mr. PERKINS, Mr. QUIE, Mr. THOMPSON, Mr. BUCHANAN, Mr. DENT, Mr. PRESSLER, Mr. BRADEMAS, Mr. HAWKINS, Mr. FORD of Michigan, Mr. CLAY, Mr. BIAGGI, Mr. ANDREWS of North Carolina, Mr. LEHMAN, Mr. BLOUIN, Mr. CORNELL, Mr. SIMON, Mr. BEARD of Rhode Island, and Mr. ZEFERETTI

JANUARY 4, 1977

Referred to the Committee on Education and Labor